

UNITED STATES OF DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

MALISHA WISE

Plaintiff,

JURY TRIAL DEMAND

v.

REEL TIME CAPITAL, LLC

GLOBAL TRUST MANAGEMENT, LLC

GLOBAL TRUST MANAGERS, LLC

Defendants.

Case: 2:23-cv-12583
Judge: Goldsmith, Mark A.
MJ: Ivy, Curtis
Filed: 10-12-2023
CMP MALISHA WISE v. REEL TIME CAPITAL, LLC ET AL (tt)

COMPLAINT AND DEMAND FOR JURY

I. INTRODUCTION

1. This is an action for actual and statutory damages brought by Plaintiff Malisha Wise an individual consumer, against Defendant, Reel Time Capital LLC (Reel Time), Global Trust Managers, Global Trust Management (Global Trust) for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 et seq. (hereinafter “FDCPA”), which prohibits debt collectors from engaging in abusive, deceptive, and unfair collection practices.

II. JURISDICTION AND VENUE

2. The court has jurisdiction under 15 U.S.C § 1692k(d) and 28 U.S.C § 1331.

Venue in this District is proper in that the Defendants transacts business in Michigan.

III. PARTIES

3. Plaintiff is a natural person residing in the Eastern District of Michigan. Plaintiff is a consumer as defined by the Fair Debt Collection Practices Act, 15 U.S.C. § 1692a (3).

4. Upon information and belief, Reel Time Capital LLC (“herein Reel Time”) is a foreign entity principal place of business is in Florida and transact business in Michigan.

5. Reel Time is engaged in the collection of debt from consumers using the mail and telephone. Reel Time regularly attempts to collect consumers’ debts alleged to be due to another. Reel Time is a “debt collector” as defined by the FDCPA, 15 U.S.C § 1692a (6).

6. Upon information and belief, Global Trust Management (“herein Global Trust”) is a foreign entity Its principal place of business is in Florida. It is wholly owned By Global Trust Managers and transact business in Michigan.

7. Global Trust Managers is engaged in the collection of debt from consumers using the mail and telephone. Global Trust regularly attempts to collect consumers’ debts alleged to be due to another. Global Trust is a “debt collector” as defined by the FDCPA, 15 U.S.C § 1692a (6).

8. Upon information and belief both entities are owned and operated by the same owner Bradley Spoor.

IV. FACTS OF THE COMPLAINT

9. Reel Time and Global Trust is attempting to collect an alleged debt that arose from a transaction in which the money, property, insurance or services which are the subject of the transactions are primarily for personal, family, or household purposes.

10. Upon information and belief Reel Time Capital purchased the alleged defaulted debt from Advance America and at all times Reel Time and Global Trust upheld financial interest in the account relevant hereto. Reel Time had Global Trust employees/ agents attempt collection efforts from plaintiff.

11. In September 2023, Plaintiff received multiple calls from Global Trust Agents/employees from telephone numbers 313-880-4334 and 313-880-4283. Global Trust was contacting plaintiff on her personal cell phone that is used for personal use, as they were attempting to collect an alleged debt in the amount of \$ 1350.00.

12. On or around September 19, 2023, at 11:39a.m. plaintiff received a call from Global Trust agents/employees while at work, (this was not the first phone call) when plaintiff answered, the defendant employee stayed quiet. "Plaintiff disconnected the call due to no response.

13. Plaintiff placed a call back to the telephone number that displayed on her caller id 313-880-4283 and a Global Trust employee name Kimberly answered, plaintiff proceeded to tell the employee she's got a call from this number while at work\and they were not saying anything,

- "Kimberly then proceeded to tell plaintiff they were trying to collect an alleged debt owed to Advance America"
- Plaintiff let Kimberly know, this is not a good time I'm at work,"
- Kimberly stated "we were trying to see what you wanted to do on your account because, your account will be sent back to the client (Client is Reel Time) and they will go head and move forward based on you not paying on the account and the client will take further actions,
- Plaintiff again stated I'm at work and this is not a good time

- Kimberly, with irritation in her tone stated based on you being at work were just going to send it back to the client and disconnected the call on plaintiff.

14. On or around September 26, 2023, at 8:59 a.m. plaintiff received a call from Global Trust employees/agent, when plaintiff answered the Global Trust employee stayed quiet. "Plaintiff disconnected the call due to no response.

15. On or around September 28, 2023, at 10:40 a.m. while at work plaintiff received a call from defendant employee who stayed quiet once again as plaintiff repeatedly stated hello, Global Trust employee then disconnected the call. Plaintiff called back and spoke with a representative by the name of Ms. Williams.

16. Ms. William stated "I'm with Global Trust Processing department and the reason for the call was because, "we been retained by Reel Time Capital in regard to a claim currently being filed against you for the Advance America loan you defaulted on, she then stated because you signed a legal binding contract with them, they are adamant and want their money and they are preparing to go forward on this matter, but my job is to prevent anything further from taking place if you are willing to get it resolved by a payment arrangement or even a settlement",

- Plaintiff then told Ms. William "This not a good time right now my boss doesn't allow calls and she is around I have to go" plaintiff then disconnected the call as her boss was approaching.

17.. Plaintiff was contacted on 10-3-2023 at 10:25 a.m. while at work, by Global Trust employee, plaintiff stated this is not a good time I'm at work.

18.On or around October 4th, 2023, at 9:12a.m., October 5th, 2023, at 11: 35 a.m., October 6th, 2023, at 11:58 a.m. and October 11, 2023, at 9:26 a.m. while at work plaintiff received more calls **which violated 15 U.S.C § 1692c (a) (1) (3). All calls are attached and labeled as Exhibit A1 and A2.**

19. Global Trust employees were well aware it was an inconvenient time and Plaintiff was at work as she told them numerous times.

20. Global Trust employees called repeatedly with the intention of harassing, oppressing and annoying plaintiff into paying the alleged debt **violating 15 U.S.C § 1692d.**

21. Global Trust employees Kimberly and Ms. Williams used false, deceptive and misleading means to collect on an alleged debt as employee Kimberly stated they were Going to send it back to the client (Reel Time for them to take further action) however more than 6 more calls were made to the plaintiff violating **15 U.S.C § 1692e. (Both calls were recorded and will be used at trial).**

22. Global Trust employee Ms. William stated as Advance America and plaintiff had a binding contract, Advance America was adamant about getting there money however, upon talking to Advance America representative on October 5th, 2023, the account was sold to Reel Time Capital in July 2023, so Advance America is not involved and Ms. William used false, deceptive and misleading means to collect an alleged debt violating **15 U.S.C § 1692e.**

23 The employees tried to extortion, manipulate and intimidate plaintiff into making a payment by any means necessary even if it meant willfully violating the FDCPA.

24. Plaintiff spoke with Global Trust employee Ms. William again on October 11, 2023 and the employee continued to use Extortionate means to coerce and swindle plaintiff into paying, by stating if plaintiff don't make a payment arrangement, settlement or let them know she intends to pay on the account they will proceed with the claim against her since she has active income, they can get a lien and file in the jurisdiction she lives in, meaning file a lawsuit against her.

25. Reel Time and Global Trust agents/employees both failed to provide plaintiff with notice of plaintiffs right to dispute the alleged debt and request verification and validation as required by the FDCPA specifically **violating 15 U.S.C § 1692g.**

26. Global Trust and Reel Time willfully used abusive, deceptive and unfair collection efforts with no regard to the FDCPA.

27. Plaintiff has and continues to suffer actual damages as a result of defendant reckless, illegal debt collection tactics by Defendant in the form of anxiety, decreased ability to focus on tasks while at work, frustration, emotional distress, and other negative emotions.

28. Defendant has disturbed plaintiffs' peace, blood pressure and her right to be free of harassment, deceptive, and misleading behavior of the alleged debt at issue. The anxiety, high blood pressure, frustration and worry were caused by concerns if defendant was going to continue their unlawful collection tactics, and concerns with what further actions (such as a lawsuit) were going to be taken against her.

CLAIM FOR RELIEF

29. Malisha Wise re-alleges and reincorporates all previous paragraphs as if fully set out herein.

30. Reel Time Management is liable to plaintiff for the same violations listed below as Global Trust as they Controlled, Influenced, and Profiting from Global Trust employee's unlawful tactics.

Defendants violated the FDCPA 15 U.S.C § 1692 including but not limited to:

***15 U.S.C § 1692c (a)(1)** by intentionally communicating in connection with collection of a debt at an unusual time or place known to be inconvenient.

***15 U.S.C § 1692c (a)(3)** by intentionally communicating in connection of a debt from plaintiff at plaintiff employment after defendant know or had reason to know that plaintiff employer prohibited plaintiff from taking calls.

***15 U.S.C § 1692d (5)** by causing plaintiff telephone to ring repeatedly and engaging in telephone conversations continuously with the intent to annoy, harass, oppress and abuse plaintiff.

***15 U.S.C § 1692e-** by using false, deceptive, misleading means to collect on an alleged

debt.

***15 U.S.C § 1692f** -by using unfair and unconscionable means to collect on an alleged debt.

***15 U.S.C § 1692g (a)** - failing to provide Validation Notice.

DEMAND FOR JURY AND PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully demands a jury trial and requests that judgment be entered in favor of Plaintiff and against Defendant for:

- A. Judgment for the violations occurred for violating the FDCPA;
- B. Actual damages;
- C. Statutory damages;
- D. For such other and further relief as the Court may deem just and proper.

Dated: October 12, 2023,

Respectfully Submitted

/s/ Malisha Wise

Email: wisemalisha@yahoo.com

Exhibit A1

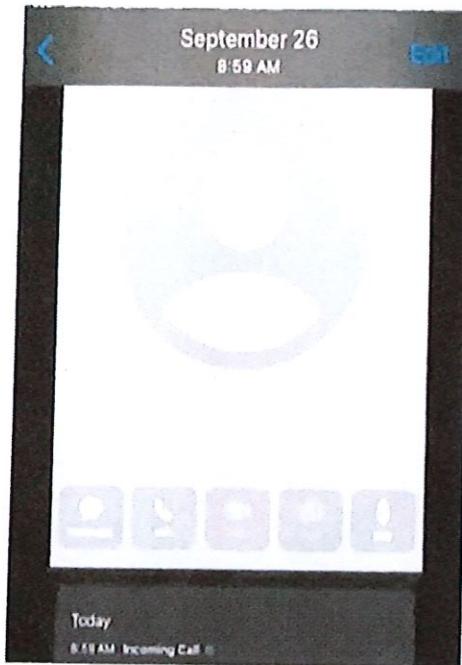
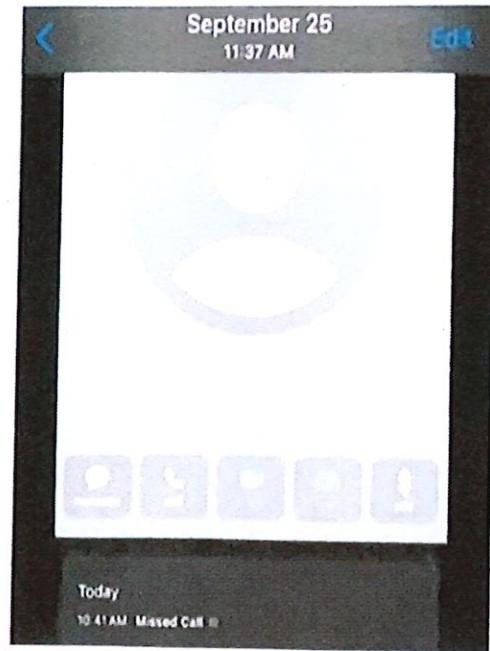
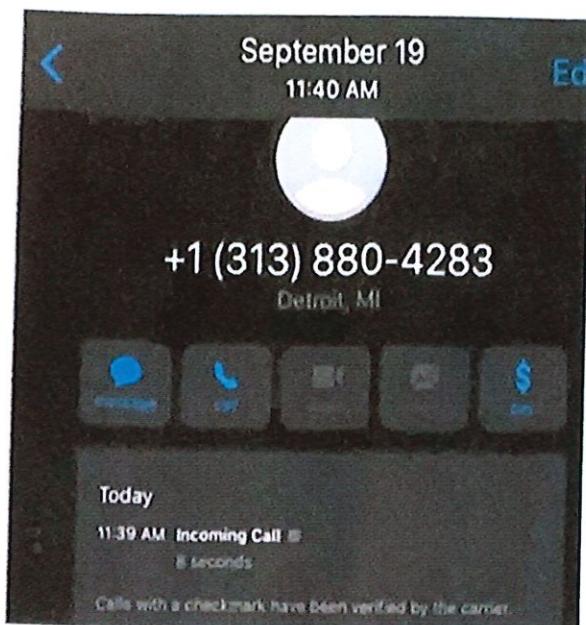
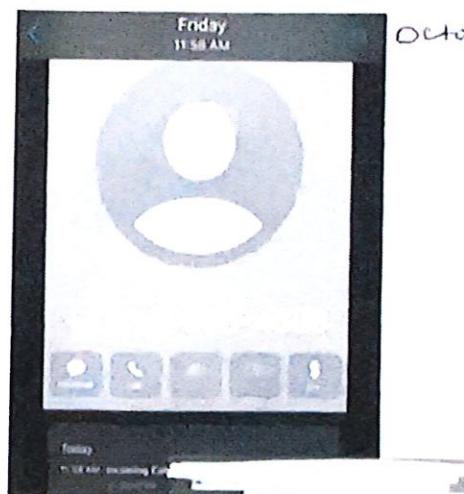
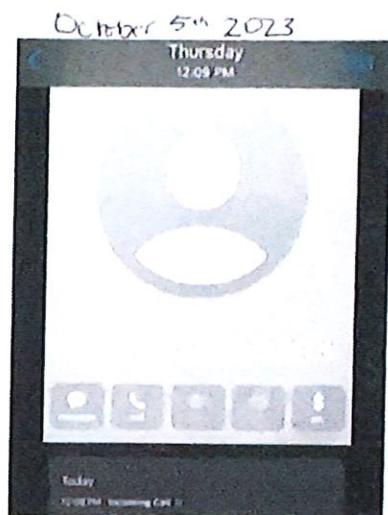


Exhibit A2



JS 44 (Rev. 10/20)

CIVIL COVER SHEET

County in which action arose: _____

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM)

I. (a) PLAINTIFFS

Malisha Wise

(b) County of Residence of First Listed Plaintiff Macomb
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

2616 Regency Club Circle Dr
Warren MI, 48081 586-569-6298**DEFENDANTS**

County of Residence of First Listed Defendant _____

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

Attorneys (if known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- | | |
|--|--|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> Federal Question (U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTE | DEF | PTE | DEF |
|---|-------------------------------------|-------------------------------------|---|--------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> |
| Citizen of Another State | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Foreign Nation | <input type="checkbox"/> |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 110 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 115 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/ Pharmaceutical	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> Personal Injury		<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> Product Liability		<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine Product Liability	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 370 Other Fraud		<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 371 Truth in Lending		<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)	<input checked="" type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> Product Liability	<input type="checkbox"/> 385 Property Damage	<input type="checkbox"/> 490 Cable Sat TV	
<input type="checkbox"/> 193 Contract Product Liability	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> Product Liability	<input type="checkbox"/> 850 Securities Commodities/ Exchange	
<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 890 Other Statutory Actions	
		<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 891 Agricultural Acts	
		<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 893 Environmental Matters	
		<input type="checkbox"/> 385 Property Damage	<input type="checkbox"/> 895 Freedom of Information Act	
		<input type="checkbox"/> Product Liability	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	

Click here for: Nature of Suit Code Descriptions

PROPERTY RIGHTS
<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application
<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 880 Defend Trade Secrets Act of 2016
LABOR
<input type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 720 Labor Management Relations
<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 751 Family and Medical Leave Act
<input type="checkbox"/> 790 Other Labor Litigation
<input type="checkbox"/> 791 Employee Retirement Income Security Act
SOCIAL SECURITY
<input type="checkbox"/> 861 HIVA (1980)
<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 863 DIWC/DIW (405(g))
<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 865 RSI (405(g))
FEDERAL TAX SUITS
<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 871 IRS - Third Party 26 USC 7609
IMMIGRATION
<input type="checkbox"/> 462 Naturalization Application
<input type="checkbox"/> 465 Other Immigration Actions

V. ORIGIN (Place an "X" in One Box Only)

- | | | | | | | |
|---|---|--|---|--|--|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) _____ | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|---|---|--|---|--|--|---|

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity).

VI. CAUSE OF ACTION

15 USC 1692

Brief description of cause:

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.C.P.**DEMAND \$**CHECK YES only if demanded in complaint
JURY DEMAND: Yes No**VIII. RELATED CASE(S)**

IF ANY

(See instructions)

JUDGE _____

DOCKET NUMBER _____

DATE

10/9/2023

SIGNATURE OF ATTORNEY OF RECORD

Malissa Wise

FOR OFFICE USE ONLY

RECEIPT # _____

AMOUNT _____

APPLYING IIP _____

JUDGE _____

MAG. JUDGE _____

PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

<input type="checkbox"/>	Yes
<input checked="" type="checkbox"/>	No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

<input type="checkbox"/>	Yes
<input checked="" type="checkbox"/>	No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

Notes :
